

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JAMES A. WILSON, et, AL.  
Plaintiffs,

CA. NO. 05-399-JJF

v.

STANLEY TAYLOR, et, AL.  
Defendants.



RE SCANNED

Affidavit/ANSWER in response to motion to dismiss <sup>/sum</sup> <sub>Judge</sub>

I JAMES WILSON, do depose that the following is  
TRUE AND CORRECT.

1. When obtaining signatures for civil action 05-399JJF every plaintiff had knowledge that we were petitioning the court for violation of due process of LAW violations, in job discrimination, classification AND disciplinary actions.
2. Nate Henry did not have a certain criteria to clean the showers because there is no job description given to Tice men when they are given a job; that pertain to how to clean the shower. He cleaned the showers AND Cor. John Stolzenbach stated that he did a half heart attempt at cleaning them. (see write up). He then informed Henry that they WERE NOT CLEAN AND he kept playing CARD. CORP. STOLZENBACH NEVER GAVE inmate Henry AN order to re-do the showers, therefore, he did not dishonour or disregard his orders. (see write-up)

3. Inmate states at his write-up hearing that Cpl. Stolzenbach "did not explain what he wanted or how clean they should be."
4. Showers in the men's building are stainless steel and to clean them is a very easy job even if its half hearted because everything runs down the steel with ease.
5. This civil case was filed June 15, 2005 since then plaintiffs have received letters concerning I.F.P., memorandums, and orders. If inmate Robert D. Oxford did not have knowledge that this was a civil complaint then why didn't he say something on the on set? And why is his name on another law suit with plaintiff Eldon Potts who is also a plaintiff on 05-399-JJF. NO ONE FORGED INMATE Robert D. Oxford NAME. THIS inmate got fired from his job in the kitchen and he stated that he will sign anything because he felt that he was fired wrongly and he was about to be moved from the men's building. I repeat plaintiff Robert D. Oxford KNEW what happen to inmate Henry because he was on the same side as Henry, the West side of men's and was informed by James Wilson inmate Henry due process of Law was violated in his disciplinary hearings and that he was moved before due process was complete. Now you do not petition anyone for due process violations except the Courts.

6. THE REASON why the same signatures was used is due to inmates either went home on the crest, or work release or was moved to different buildings and we could not get to them and this is one of the reasons why we submitted a Motion for appointment of Counsel. If we had an attorney as to date he could find out where Sgt. MEARS is from the institution or where he has had his mailed forwarded to. WE as inmates cannot find out such information. An attorney could have talked with each inmate about the letter they received from Lisa BARCHI and informed us if we had to respond since it did not come from the Court.

7. Inmate James Wilson do not have enough time in a day to meet with and consult each inmate about every letter that comes from the Court. The Court knows this and MS. Lisa BARCHI knows this and it is against S.C.I. policies to communicate with other inmates in different buildings unauthorized communication is a write-up.

8. An Attorney could have found out where Pedro CINTA and BRIAN ~~BRISCO~~ BRISCO is located because of large access ability. An Attorney could address Ms. Lisa BARCHI motion to Dismiss/summary Judgment and the Court still should grant Plaintiff's motion for Counsel.

9. As for the dates and times Plaintiffs can get this through discovery and interrogatories. Plaintiffs cannot get copies off of officers computers like Mrs. Lisa Barchi can because plaintiffs are inmates, however, an appointed counsel would be able to.

10. Through discovery plaintiffs could show that there is discrimination in jobs between black inmates and white inmates. Through discovery plaintiffs can show unjust and bias disciplinary outcomes for white inmates and black inmates.

11. Through discovery Plaintiffs can show that white inmates are more likely to get another job when fired while black inmates are classified out of the building to higher security buildings.

12. Through discovery Plaintiffs can show that S.C.I makes inmates do their sanction, and is classified out of the building and moved before due process is complete.

13. Eldon, Potts, Howard Parker, Nathan Kenney, ~~and~~ are several inmates who did their sanction, and was classified and moved out of the building while due process was still going on.

14. Inmate Jerome Green was moved and never was classified out of the merit building (see grievance attached)

15. Through discovery plaintiffs can show that all issues are genuine and material



16. Plaintiff James Wilson, Jerome Green witness

SGT. MEARS CAPSTUN INMATE PEDRO CINTERA, INMATE CINTERA did not throw a punch at Sgt. MEARS.

Cpl. Stolzenbach was there when Sgt. MEARS sprayed INMATE with CAPSTUN. INMATE NEVER was told to ~~turn~~ turn around and put his hand behind his back. INMATE PEDRO was backed up to the wall then sprayed by Sgt. MEARS, Cpl. Stolzenbach did nothing to stop Sgt. MEARS actions.

17. INMATES ARE in different buildings and this why I'm doing a Affidavit of the knowledge that I know CONCERNING EACH ISSUE OR statement of facts OR claim.

18. Plaintiff will appeal if motion to Dismiss and Summary Judgment is granted, to defendant.

19. Summary Judgment is premature without discovery.

Sworn before me this 2nd day of May 2006

James A. Wilson  
James A. Wilson

Judith Ann Lederman  
JUDITH ANN LEDERMAN  
NOTARY PUBLIC, STATE OF DELAWARE  
My Commission Expires August 19, 2007  
notary of public

I/M: James Wilms BLDG: Key-South-A-QAD  
SUSSEX CORRECTIONAL INSTITUTION  
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1) Legal Mail  
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